

10/510324
PATENT

Docket No. 245402009500
Client Ref.: 903036-01 (TaM/nm)

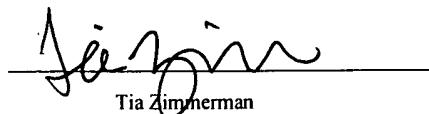
PTO4 Rec'd PCT/PTO 04 OC 2004

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Tia Zimmerman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Mototaka TANEYA et al.

Serial No.: Not Yet Assigned

Intl. Filing Date: March 26, 2003

International Application No.: PCT/JP03/03761

For: SEMICONDUCTOR LASER DEVICE

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record in the application.

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This Information Disclosure Statement is submitted: DT04 Rec'd PCT/PTO 04 OCT 2004

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of __ is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **245402009500**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 4, 2004

Respectfully submitted,

By: Thomas E. Ciotti
Thomas E. Ciotti
Registration No. 21,013

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5702
Facsimile: (650) 494-0792

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Docket Number 245402009500	Application Number Not Yet Assigned 10/510324
		Applicant	Mototaka TANEYA et al.
		Filing Date Concurrently Herewith	Group Art Unit Not Yet Assigned
		Mailing Date October 4, 2004	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	12/10/2002	6,493,367	Ito et al.			
	2.	04/29/2003	6,556,603	Yamasaki et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	3.	07/12/2000	EP 1 018 770	Europe			
	4.	03/06/2002	EP 1 184 913	Europe			
	5.	04/30/1993	JP 05-110139	Japan			Abstract
	6.	02/25/1997	JP 09-055560	Japan			Abstract
	7.	03/09/1999	JP 11-068158	Japan			Abstract
	8.	03/09/1999	JP 11-068256	Japan			Abstract
	9.	07/09/1999	JP 11-186659	Japan			Abstract
	10.	10/06/2000	JP 2000-277862	Japan			Abstract
	11.	10/24/2000	JP 2000-299497	Japan			Abstract
	12.	03/30/2001	JP 2001-085796	Japan			Abstract
	13.	05/29/2001	JP 2001-148539	Japan			Abstract
	14.	10/26/2001	JP 2001-298243	Japan			Abstract
	15.	12/26/2001	JP 2001-358407	Japan			Abstract

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	16.	Casey, H.C. Jr. et al. Eds. (1978). <u>Heterostructure Lasers: Part A Fundamental Principles</u> Academic Press pp. 42-49.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.